Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Overcoming the institutional deficit of the NPT

Working paper submitted by Canada

1. Unlike the more modern non-proliferation, arms control and disarmament accords, the NPT lacks provisions and institutional machinery to protect adequately the interests of its States Parties. There is no annual meeting of States Parties, no standing bureau and no dedicated organization or secretariat to oversee the state of health of the Treaty. The IAEA has certain on-going responsibilities under the Treaty, but they are limited in scope and its membership and that of the NPT are not coterminous. Only the quinquennial Review Conferences are empowered to take decisions on behalf of the States Parties. The interests of the Treaty membership are not well-served by a situation where it can only exercise its decision-making functions once every five years.

2. During the course of 2003, the NPT has experienced severe shocks to its authority and integrity, including the unprecedented notification of withdrawal from the Treaty on the part of one State Party and the admission by other State Parties of activity in violation of their Treaty obligations. These incidents underline the need for the NPT community to have a capacity to review regularly the state of the Treaty's implementation and to respond rapidly to contemporary challenges to its fundamental purposes.

3. Building on ideas previously proposed in this forum, we believe the time is right to overcome this institutional deficit and recommend the following:

i) Replace the present Preparatory Committees with Annual General Conferences of States Parties to consider and decide on any issues covered by the Treaty. Such Conferences would have a duration of one week, although in the year immediately preceding a Review Conference, the Annual Conference would extend two weeks and carry out the function of a preparatory committee for that Review Conference. The overall time allocation for these conferences would remain within the current six weeks devoted to the Preparatory process.

ii) The bureau of the review process be reconstituted as a standing bureau of the Treaty comprised of the President and Chairs of the quinquennial Review conference (to be elected at the end of each Review Conference with a mandate extending until the subsequent Review Conference). This bureau would be empowered, at the request of the Depositary Governments, the UN Secretary General or

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pursuant to a consensus decision of their own, to convene extraordinary sessions of the General Conference of States Parties when situations arose that threatened the integrity or viability of the Treaty, for example, a notification of intent to withdraw from the Treaty or the violation by a State Party of its obligations under the Treaty.

iii) The UN Department of Disarmament Affairs would, within existing resources, continue to provide support to the bureau, the annual conferences and any extraordinary sessions.

4. Canada looks forward to working with all States parties to advance this issue at the 2005 Review Conference.